

On motion of Mr Taylor, of Cass, the Senate adjourned until 10 o'clock, Monday morning.

MONDAY MORNING, {  
December 17, 1855. }

The Senate was called to order by the President pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The Journal of Saturday read and adopted.

Mr Grimes presented the petition of Martin Clarke; referred to the committee on private land claims, no. 2.

Mr Caldwell presented the petition of the heirs of Orman Logan and others; referred to committee on public lands.

Mr Taylor of Houston, presented the petition of Jane Finch; referred to the committee on private land claims, no. 1.

Mr McDade presented the memorial of the citizens of Independence-town, asking relief; referred to the committee on State affairs.

Mr Taylor of Fannin, presented the petition of L. D. Rainey, and of R. Alderson; referred to the committee on private land claims, no. 1.

Mr White presented the memorial of Wm. M. Cooke; referred to the Judiciary committee.

Mr Hill presented the petition of H. Ledbetter, asking for 320 acres of land; referred to the committee on private land claims no. 1.

Mr White presented the petition of Robt. J. Caruthers, and Joseph H. Beck; referred to the committee on the Judiciary.

Mr Bryan presented the petition of J. H. Herndon and Miles M. Batch, representatives of the estate of Hond and Luske; referred to the committee on claims and accounts.

Mr Palmer presented the petition of David Cole; referred to the committee on State affairs.

A message was received from the House, informing the Senate that the House had concurred in the amendments of the Senate to a House bill, to regulate the session of the Supreme Court.—Also informing the Senate of the appointment by the House, of a select committee, composed of Messrs. Charlton, Nichols, Adrian, West and Darden of Gonzales, to act with a like committee from the Senate, to make arrangements for the inauguration of the Governor and Lieut. Governor elect. Also that the House had passed a Senate bill to change the 6th and 9th Judiciary District and define the time of holding Courts therein.

Mr Armstrong presented the petition of William Tasser and others; referred to committee on Military affairs.

Mr Hill, from the committee on private land claims, made the following report :

The committee on private land claims, to which was referred a petition for the relief of the heirs of Elizabeth Jones deceased, have had the same under consideration, and report that said Elizabeth Jones emigrated to the Republic of Texas in the year 1833, and that she was the head of a family and that she continued to reside in the Republic until her death ; that she left two minor children, and is entitled to one league and labor of land. Your committee are satisfied the claim is a just one, and therefore instruct me to report the following bill, and recommend its passage.

A bill for the relief of the heirs of Elizabeth Jones, deceased ; read first time.

Your committee, to which was referred the petition of the heirs of Evan Reid, deceased, have considered the same, and find that said Evan Reid emigrated to Texas before the first day of August, 1836, served six months in the army, and was honorably discharged therefrom, and that he died in Texas, without having received his headright. The committee are of opinion that said Reid was entitled to one third of a league of land, and have instructed me to report the accompanying bill, and recommend its passage.

A bill for the relief of the heirs of Evan Reid, deceased ; read first time.

Mr Doane, from the committee on Private Land Claims, made the following report :

Your committee on Private Land Claims have considered a bill for the relief of John S. Hill, and find Hill emigrated to Texas in March 1840, served in the Vasques and Wall campaigns in 1842, and received his pay therefor ; that he continued to reside in Texas until December 1843. The committee are of opinion that he is entitled to three hundred and twenty acres of land, and report the accompanying bill, and recommend its passage.

A bill for the relief of John S. Hill ; read first time.

Mr Guinn, chairman of the committee on engrossed bills, reported a bill supplementary to the act of March 13th, 1848, entitled, "an act better defining the marital rights of parties, correctly engrossed.

Mr Potter, chairman of the committee on the Judiciary, made the following report :

The Judiciary committee have considered a resolution requesting them to consider the propriety of so changing the

law, regulating trial by jury, as not to require the concurrence of the entire jury in order to find a verdict; and that the committee report by bill or otherwise. The committee direct me to report that in their opinion, the proposed change of the laws, regulating trial by jury would not be either expedient or proper. The committee think that no one would for a moment, entertain the idea that it would be proper to allow less than the entire jury to return the verdict in a criminal cause, and they are of opinion that in civil causes, when the jurors at first differ, the minority usually yield their opinions to the majority, whenever it is proper they should do so. The committee therefore, direct me to return the resolution to the Senate, and ask to be discharged from its further consideration.

Mr Hill, from the committee on private land claims, made the following report:

Your committee on private land claims have had before them a bill for the relief of the heirs of Hezekiah George, granting them one third of a league of land. Your committee find from the certificate of the commissioner of the General Land Office, that the said George has received his augmentation for two-thirds of a league and one labor, and that he has not obtained at any time, his third of a league, and your committee is further assured that the said George has continued to reside in the State until the sixth day of August last, when he died. From all the testimony, he or his heirs are clearly entitled to one-third of a league of land, wherefore we recommend the passage of the bill for his heirs.

Mr Flanagan introduced a bill for the relief of Felix G. Stanley of Rusk; read first and second time, and on motion of Mr Flanagan, referred to the committee on the Judiciary.

Mr Doane introduced a joint resolution, granting leave of absence to J. L. Ankrum, Judge of the 10th Judicial District; read first and second times, and on motion of Mr Doane referred to the judiciary committee.

Mr McCulloch introduced a bill to incorporate the Powderhorn, Victoria and Gonzales, Railroad company; read first and second time, and on motion of Mr McCulloch, referred to the committee on Internal Improvements, and a

Joint resolution, respecting the command of Capt. J. H. Callahan; read first and second times, and on motion of Mr McCulloch, referred to the committee on State affairs.

Mr Taylor of Houston, introduced a bill for the protection of married women; read first and second times, and referred to judiciary committee.

Mr Weatherford introduced a bill respecting Railroad charters, which have been or may be forfeited ; read first and second times and referred to the committee on Internal Improvements.

Mr Potter introduced a bill to amend the 4th section of an act entitled, "an act to incorporate the Galveston and Brazos Navigation company," approved Feb. 8th, 1850 ; read first and second times, and referred to judiciary committee.

Mr Hill offered a resolution, authorizing the Judiciary committee to employ a secretary.

Mr Millican moved to lay the resolution on the table ; lost by the following vote :

YEAS—Messrs. Burroughs, Grimes, Lott, McOnloch, Martin, Millican, Potter, Russell, Scott, Taylor of Cass, Tritt, Weatherford, Whitaker and White, 14.

NAYS—Messrs. Allen, Armstrong, Bryan, Caldwell, Flanagan, Guinn, Hill, Hord, McDade, Maverick, Palmer, Pedigo, Pirkey, Scarborough, Superviele, Taylor of Fannin, and Taylor of Houston, 17.

Mr Guinn offered the following amendment :

"And to assist the engrossing and enrolling clerks, when not otherwise employed."

Mr Millican moved to amend by adding : "And to assist in all other business of the Senate, not otherwise expressly provided for."

On motion of Mr Guinn, laid on the table.

Mr Russell moved to lay the resolution on the table till first day of May next.

Mr Guinn moved to lay the motion on the table ; carried.

Mr Millican moved to lay Mr Guinn's amendment on the table ; lost, and the amendment adopted.

Mr Grimes offered the following amendment :

"Provided, such compensation shall not exceed \$5 00 per day."

Mr Wren moved that the resolution and amendment lie on the table ; lost.

Mr Grimes' amendment was then adopted.

Mr Palmer moved the previous question ; lost.

Mr Millican then offered the following amendment :

Also an additional secretary for the committee on Private Land Claims ;" lost, and the resolution adopted by the following vote :

YEAS—Messrs. Allen, Armstrong, Bryan, Caldwell, Flanagan, Guinn, Hill, Hord, Lott, McDade, Maverick, Palmer,

Pedigo, Scarborough, Superviele, Taylor of Houston, Truit and White, 17.

NAYS—Messrs. Burroughs, Grimes, McCulloch, Martin, Millican, Pirkey, Potter, Russell, Scott, Taylor of Cass, Weatherford, Whitaker, and Wren, 13.

Mr Taylor of Houston was excused from serving on committee to investigate land claims, West of the Nueces.

On motion of Mr Superviele, Mr Burroughs was added to the committee on counties and county boundaries.

Mr Martin moved to take up bill to quiet land titles; lost.

#### ORDERS OF THE DAY.

Report of the committee on education, on a bill to provide for the investment of the special school fund, in the bonds of of Railroad companies incorporated by the State, offering a substitute therefor, being the special order of the day, was taken up and read.

Mr Hill moved to adjourn till 3 o'clock, P. M.; carried.

3 o'clock, P. M.

The Senate met—roll called—quorum present.

The first reading of the code of civil procedure was resumed, and concluded. Bill read second time, and on motion of Mr Guinn, referred to the committee on the Judiciary.

On motion of Mr Martin, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, Dec. 18th, 1855.

The Senate met—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr Taylor of Fannin, moved the suspension of the regular order of business, and offered the following resolution:

*Resolved*, That the order of the Senate, forbidding the admittance of the citizens to the floor of the Senate chamber, be abrogated and rescinded.

Mr Taylor of F, moved the further suspension; carried, and the resolution adopted.

Mr Potter presented the petition of Leslie Combs; referred to the committee on Public Debt.

Mr Hill, chairman of the committee on claims and accounts, to which was referred a bill to provide for the payment of the six companies of mounted volunteers, mustered into the service of the State of Texas, on the first day of November, 1854, and to provide for the payment of the balance of expenses incurred by said companies, reported the same back for the consideration and action of the Senate.